

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

JOHN ANTHONY CASTRO,

Plaintiff,

v.

**ROY ANDREW BERG,
ALEXANDER FAIRFAX MARINO,
& MOODYS GARTNER TAX LAW, LLP,**

Defendants.

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Case No. 3:18-cv-00573-G

**DECLARATION OF ROY ANDREW BERG
IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS**

1. My name is Roy Andrew Berg. I am over the age of 21 years, am fully competent to make the statements contained in this Declaration, and have personal knowledge of the facts contained herein.
2. I am currently employed as the Director of U.S. Tax Law for Moodys Gartner Tax Law, LLP ("**Moodys**"), a defendant in the above-captioned case.
3. I am a resident of Calgary, Alberta, Canada, and have been a Canadian resident since July 2011. Other than occasionally stopping at Texas airports to catch connecting flights, I last visited Texas in 1999. Prior to that visit, I was last in Texas in 1988 for a swim meet as a child.
4. The principal place of business for Moodys is located in Calgary, Alberta, Canada.
5. None of Moodys's partners are residents of Texas.
6. Moodys does not have any operations in Texas nor does it manage or employ any individuals in Texas.

7. Neither Moodys nor I transact business in Texas or supply goods or services in Texas.
8. Neither Moodys nor I own, use, or possess any real property in Texas.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 12, 2018.



Roy Andrew Berg